

Policies regarding the use of agricultural lands.

AGP1: Public Education.

- a. **Support and participate in on-going agricultural education programs aimed at informing the general public about our agricultural industry.**

Discussion: If the goals for agriculture as stated in this element are to be effectively accomplished, there should be a commitment to on-going public education about the importance and role of agriculture in this county. There are a variety of public and private agencies that participate in education programs focused on agriculture, including but not limited to the County Agriculture Department, U.C. Cooperative Extension, San Luis Obispo County Farm Bureau, Cal Poly State University, numerous agricultural industry groups, and others. The county should continue to participate in such programs.

Implementation: The county Department of Agriculture, in coordination and cooperation with U.C. Cooperative Extension, other public and private organizations and educational institutions, should remain in a leadership role of providing public education about the agricultural industry in the county.

Timeframe: Ongoing.

AGP2: Public and Private Lands.

- a. **The agricultural policies and implementation measures in this element shall apply equally to public as well as private lands.**

Discussion: The purpose of this policy is to recognize that the agricultural policies and implementation measures apply equally to public as well as private projects. When public agencies propose projects, the agencies are in a position of setting a positive example for the rest of the community. Since the following policies and implementation measures are part of the county general plan, the plans and programs of county agencies, school districts and other special districts should be consistent with them.

Implementation/Timeframe: Ongoing through the review of development proposals and the review of agency projects for conformity with the adopted county general plan.

AGP3: Right-to-Farm Ordinance.

- a. **This element reaffirms the county's Right-to-Farm Ordinance, Title 5 of the County Code, as an effective means to let the public know that the use of real property for agricultural operations is a high priority and favored use. The Right-to-Farm Ordinance requires disclosure statements between sellers and**

buyers of properties at the time of property transfer and through inclusion of disclosure statements on all discretionary land use permit applications administered by the County Department of Planning and Building.

- b. Encourage the County Agriculture Department to: (1) maintain an outreach information program to make the local real estate industry and the public aware of the Right-to-Farm Ordinance and the disclosure provisions on property transactions, and (2) continue mediating issues relating to the Right-to-Farm Ordinance.

Discussion: Many purchasers of land in agricultural areas are initially attracted by the country environment. Only after they move into the agricultural area do they become aware of the intensity of agricultural activities. Purchasers may complain to government authorities or their elected officials about annoyances from agricultural activities. The purpose of this policy is to minimize such complaints by requiring disclosure of more facts about land in agricultural areas and their potential use when properties change ownership.

Implementation:

1. The County shall follow the provisions in Title 5 of the County Code regarding the right-to-farm ordinance.

Timeframe: Ongoing.

2. The County Department of Agriculture should maintain an outreach information program to make the local real estate industry and the public aware of the disclosure provisions on property transactions.

Timeframe: 12 months from plan adoption.

AGP4: Agricultural Use of Small Parcels.

- a. Encourage the establishment of small-scale agriculture uses, specialty crops, and specialized animal facilities on existing small land parcels in the Agriculture land-use category.

Discussion: The purpose of this policy is to encourage agricultural uses and discourage rural residences as the principal use on existing small agriculturally-zoned parcels. The Land Use Element and Land Use Ordinance already recognize and encourage these uses as appropriate and allowable uses in the Agriculture land use category. This will encourage the best use of agricultural land and will help minimize conflicts with surrounding agricultural uses and agriculturally-zoned parcels.

Implementation: In order to better make people aware of the benefits of locating operations devoted to specialty crops and specialized animal facilities (as defined in the LUE and LUO) in agricultural areas of the county, the Agriculture Department, the Department of Planning and Building, and agricultural organizations and agencies should advise existing and prospective owners of smaller agricultural properties about the benefits of locating these uses on properties designated Agriculture, rather than in residential areas where land is likely to be more expensive and land use conflicts are more likely to occur between the agricultural activities and residential neighbors. This policy is to be implemented through day-to-day public contact with persons who desire to establish small-scale agricultural specialty uses on property they already own or are considering for purchase.

AGP5: Residential Density.

- a. Allow residential density of two primary dwellings on each existing legal parcel of 20 acres or larger in the Agriculture land-use category. On parcels of less than 20 acres, allow one primary and one farm support dwelling.
- b. Allow farm support quarters consistent with the standards of the LUO.
- c. See AGP 21 for the allowed density when proposing land divisions to create new parcels on lands containing Class I and II irrigated soils.

Discussion: In item a., the first portion of this policy would not alter the number of primary residences currently allowed by the Land Use Ordinance on parcels larger than 20 acres and designated Agriculture. However, the second portion of item a. would add the ability of having a secondary dwelling on parcels less than 20 acres in size as a way to increase housing flexibility and options for the farm family, but would require that the second home meet the requirements for farm support quarters. Part b. of the policy gives recognition to the existing provisions of the LUO that allow the establishment of farm support quarters, and provides housing options and flexibility for farm operators. Part c. of the policy clarifies that the residential density must be consistent with the requirements of AGP 21 when a land division is proposed on property that contains Class I and II irrigated soils.

Implementation: The Department of Planning and Building should propose amendments to the LUO to allow residential density in the Agriculture land use category consistent with this policy and the discussion above.

Timeframe: 12 months from plan adoption.

AGP6: Visitor Serving and Retail Commercial Use and Facilities.

- a. **Allow limited visitor serving and incidental retail use and facilities in agricultural areas that are beneficial to the agricultural industry and farm operators and are compatible with long-term agricultural use of the land. Such uses shall be clearly incidental and secondary to the primary agricultural use of the site and shall comply with the performance standards in the LUO.**
- b. **Locate the visitor serving and incidental retail use off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

Discussion: This policy recognizes the increasing need of farmers and ranchers to diversify their on-site activities from production through the marketing of their agricultural products. On-site and area-specific promotion and marketing of local agricultural products can also enhance local tourism.

Implementation: Both the LUE (Table 'O', Allowable Uses) and LUO allow a variety of uses accessory to agricultural operations, such as a winery tasting room, a bed-and-breakfast, or a restaurant. The accessory uses must be clearly incidental and secondary to the primary agricultural use of the site and must comply with performance standards in the ordinance. The types of uses and the effectiveness of the performance standards for their establishment should be monitored over time and, if necessary, future amendments proposed that will further enhance the agricultural operations by the establishment of accessory uses.

Timeframe: On-going.

AGP7: Service Commercial-Type Uses.

- a. **Allow limited service commercial-type uses where needed to support local agricultural production.**
- b. **Locate the service commercial-type uses off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

Discussion: Most service commercial-type uses needed in agricultural areas are already allowed; for example, farm equipment repair services, veterinary services, rental and farming services using heavy equipment, and bulk supplies that cannot be transported easily between urban and rural areas. These types of uses are included in the land use

definitions of Ag Processing, Farm Equipment and Supplies, Food and Kindred Products, Small Scale Manufacturing, Warehousing, and Wholesaling and Distribution.

Service commercial-type agricultural support services are normally located in areas designated as Commercial Service or Industrial, most often located in the urban areas of the county. However, the purpose of this policy is to encourage agricultural support service uses that may need to be located within agricultural areas, but to make sure that the location of those uses complies with standards that protect or enhance long-term agriculture in the area.

Implementation: Review the existing standards in the LUO and CZLUO and, where necessary, propose amendments to those standards to require that land use permit applications for service commercial-type uses in support of agriculture comply with specified performance standards such as: siting related to agricultural uses; access; water supply and recharge areas; fire protection service; setbacks and screening. These standards would apply to uses that are included within the definitions of Ag Processing, Farm Equipment and Supplies, Food and Kindred Products, Small Scale Manufacturing, Warehousing, and Wholesaling and Distribution.

Timeframe: 12 months from plan adoption.

AGP8: Intensive Agricultural Facilities.

- a. Allow the development of compatible intensive agricultural facilities that support local agricultural production, processing, packing, and support industries.
- b. Locate intensive agricultural facilities off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.

Discussion: Agriculture's needs are the primary determinates of the location of agricultural facilities. Intensive agricultural facilities include many different types of uses that have varied requirements as to location, site characteristics, water, sanitary service and waste disposal, as well as a variable degree of potential conflicts with residential and other urban land uses. Examples of such uses are livestock feedlots, dairies, hog farms, poultry operations, mushroom production, greenhouses, aquiculture facilities, feed and grain mills, meat-packing plants, other types of food processing plants, breweries, wineries, produce packing sheds, packing and packaging materials, ice manufacturing, and transportation facilities for agricultural products and supplies.

This policy recognizes that additional intensive agricultural facilities may be needed to support local agriculture. However, not all such uses may be appropriate on all locations

where they might be proposed. Finding suitable locations for such facilities where development will be compatible with surrounding uses is important to both agriculture and the surrounding uses. Accordingly, the county should actively assist in finding appropriate locations in agricultural, industrial or commercial service areas.

The LUE and LUO have appropriate standards for the location of such uses. However, one such type of use not referenced as an allowed use would be a brewery. Under existing county standards, wineries can be established using grapes either grown on-site or imported from another site. While hops are not yet an established crop in this county, breweries could become similar to wineries if more locally grown product becomes available so as to make establishment of a brewery feasible. Standards in the LUO should establish the requirements for developing a brewery by spelling out such factors as requiring that a majority of the raw products needed are grown in San Luis Obispo County, the type of land use permit required, how the site is to be developed, and the type of access required to the site.

A review of the Standard Industrial Classification (SIC) system shows that wineries, breweries, and the manufacturing of other types of spirits are included in the definition of Food and Kindred Products. However, under the existing LUE/LUO, breweries are not referenced as a use that could be established in this county. Therefore, the LUE/LUO should be amended to include breweries as a conditional use.

Implementation:

1. The Department of Planning and Building should work with representatives of the agricultural industry, individuals and community groups to identify appropriate development standards for the placement of intensive agricultural facilities that are directly related to agricultural production, processing, packing and support industries.

Timeframe: Ongoing.

2. The Department of Planning and Building should propose amendments to the LUE to include breweries in the definition of "Food and Kindred Products." The LUO should also be amended to incorporate appropriate development standards for breweries, such as but not limited to requiring that a majority of the raw products needed are grown in San Luis Obispo County, the type of land use permit required, how the site is to be developed, the type of access required to the site, as well as a provision that breweries shall not be located on agricultural lands unless there are no other feasible alternative locations available. Further definition of what constitutes a winery and accessory activities should also take place.

Timeframe: 24 months from plan adoption.

3. The Department of Planning and Building should propose amendments to the LUO by adding development standards for uses included in the land use definition of "Food and Kindred Products" (as defined in Framework for Planning) similar to those standards already in place for wineries that will ensure compatibility with the rural and agricultural character of the area.

Timeframe: 24 months from plan adoption.

Policies regarding resource conservation and management.

AGP9: Soil Conservation.

- a. Encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. Promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, Consolidated Farm Services Agency, Morro Bay State and National Estuary, and other agencies and organizations.
- b. Emphasize the long-range benefits of proper drainage control and tillage, cropping, soil amendment, and grazing techniques to minimize soil erosion.
- c. Assure that roads and drainage systems on county-controlled properties and facilities do not negatively impact agricultural lands and that the roads and systems are properly maintained.

Discussion: Loss of topsoil is a threat to the continued productivity of agricultural lands. The purpose of this policy is to minimize the loss of topsoil by encouraging broad-based cooperation between property owners, ag operators, agencies and organizations that will lead to effective soil conservation practices on farmlands and on county-controlled properties.

Implementation:

1. The County Department of Agriculture should participate in educational efforts regarding soil conservation developed cooperatively by the Resource Conservation Districts, Consolidated Farm Services Agency, U.C. Cooperative Extension, the U.S. Natural Resources Conservation Service, and the Morro Bay State and National Estuary Programs. Educational efforts should utilize all available information and avoid duplication of effort.
2. These standards and methods should also be applied to lands and facilities owned and operated by the County to set a positive example for soil conservation.

Timeframe: Ongoing.

AGP10: Water Conservation.

- a. **Encourage water conservation through feasible and appropriate “best management practices.” Emphasize efficient water application techniques; the use of properly designed irrigation systems; and the control of runoff from croplands, rangelands, and agricultural roads.**
- b. **Encourage the U.C. Cooperative Extension to continue its public information and research program describing water conservation techniques that may be appropriate for agricultural practices in this county. Encourage landowners to participate in programs that conserve water.**

Discussion: Land area, the water falling on it, and groundwater stored beneath its surface are inseparable in determining agricultural values and productivity in the County. Other than the land itself, water is the most precious resource for agriculture. Conserving water can benefit agriculture by reducing groundwater pumping. Uncontrolled runoff can contribute to soil loss, reduced water quality in streams, increased impact on riparian habitat, decreased opportunity for groundwater recharge and degradation of the general productivity of the watershed.

Implementation:

1. Encourage farmers and ranchers to periodically conduct irrigation efficiency analyses, such as those provided by the U.S. Natural Resources Conservation Service mobile irrigation lab program, or an equivalent. If financially feasible, the County should consider funding assistance.
2. The County Department of Agriculture should participate in educational efforts regarding water conservation developed cooperatively by the Resource Conservation Districts, Consolidated Farm Services Agency, U.C. Cooperative Extension, and the U.S. Natural Resources Conservation Service. Educational efforts should utilize all available information and avoid duplication of effort.
3. Conservation methods should also be applied to lands and facilities owned and operated by the County to set a positive example for water conservation.
4. County departments should facilitate the approval of water conservation, surface water retention, improvement of ground water recharge areas and artificial recharge structures by providing applicants for such structures with information identifying which local, state and federal agencies must be contacted regarding such projects.

Timeframe: Ongoing.

AGP11: Agricultural Water Supplies.

- a. **Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.**
- b. **Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use.**
- c. **Do not approve facilities to move groundwater from areas of overdraft to any other area, as determined by the Resource Management System in the Land Use Element.**

Discussion: The purpose of this policy is to strongly promote agricultural uses. Where urban development uses groundwater supplies, surrounding agricultural uses are often eventually displaced. By maintaining groundwater supplies primarily for irrigated agriculture uses, the county can encourage continued and expanded agricultural uses. In addition, this could reduce the chances that urban and suburban development will diminish recharge, deplete agricultural water supplies, degrade water quality, or make those supplies uneconomical for agriculture to use.

Implementation:

1. The Department of Planning and Building should propose amendments to the guidelines for general plan amendments in Framework for Planning of the LUE to reference this policy as it applies to groundwater supplies.

Timeframe: 18 months from plan adoption.

2. The Department of Planning and Building should propose amendments to the LUO, CZLUO and the Real Property Division Ordinance to establish standards to ensure that proposed land divisions and discretionary land use permit projects for non-agricultural purposes in rural areas do not adversely affect water supplies, watershed yields or water quality for existing or expanded agricultural uses. The standards should be based on approved groundwater basin/resource capacity studies, or other studies done in connection with the environmental review process.

Timeframe: 24 months from plan adoption.

3. On a watershed basis, County Planning, Engineering and Agricultural Departments will prepare a proposed work program to conduct or facilitate preparation of up-to-date groundwater basin/resource capacity studies that identify water supplies and

3. On a watershed basis, County Planning, Engineering and Agricultural Departments will prepare a proposed work program to conduct or facilitate preparation of up-to-date groundwater basin/resource capacity studies that identify water supplies and drainage requirements (i.e., future demand vs. delivery capacity, trends, watershed yields, safe yields, surface drainage channels and salt sinks) relating to the needs of agriculture and other uses. The proposed work program and subsequent studies will be prepared in consultation with the county Water Resources Advisory Committee, U.C. Cooperative Extension and the Natural Resources Conservation Service,

Timeframe: Proposed work program submitted to Board of Supervisors within 12 months of plan adoption.

4. Recommend to LAFCO denial of proposed annexations to incorporated cities or special districts which would adversely affect existing agricultural water supplies and which would be inconsistent with preceding implementation measures.

Timeframe: Ongoing through review of proposed annexations.

5. The county Environmental Health Division should initiate an information program to fully identify the potential beneficial uses and potential hazards of reclaimed water.

Timeframe: 24 months from plan adoption.

6. The County Engineering Department, Agriculture Department, U.C. Cooperative Extension, and production agriculture representatives should advise the Planning and Building Department on matters involving agricultural water supplies, demand and water quality effects on crops.

Timeframe: Ongoing.

AGP12: Pest, Vertebrate, and Weed Management.

- a. Assure that pests such as squirrels and noxious weeds are managed on county owned properties so as to avoid impacts on agriculture.
- b. Encourage the use of integrated pest management techniques to manage pests, vertebrates, and weeds on both public and private lands.
- c. Support and promote programs that help landowners learn pest control methods, utilizing the expertise of the U.C. Cooperative Extension and the County Agriculture Department.

about possible environmental and health effects of herbicides and other chemicals, the county should promote integrated pest management techniques.

Implementation:

1. The county should support continued funding of pest and vertebrate control programs, including integrated pest management techniques, on county properties and facilities where needed to prevent significant effects on agriculture or public health, and encourage private property owners to participate in these programs.
2. Encourage other local, state and federal agencies and organizations to work cooperatively with the county pest, vertebrate and weed management programs.
3. Encourage the County Agriculture Department and U.C. Cooperative Extension to provide public education information about pest management programs.

Timeframe: Ongoing.

AGP13: Agricultural Material Composting.

- a. **Encourage the composting and re-use of agricultural commodities and materials.**
- b. **The county should carefully evaluate and work cooperatively with appropriate state and federal agencies, local organizations and land owners to determine whether and under what circumstances bio-solids are appropriate for land disposal.**

Discussion: Composting of agricultural wastes and by-products offers an opportunity to return resources to the agricultural operation. It also offers a way to reduce the impacts on available space in landfills and reduce air pollution from agricultural burning. An agricultural composting activity is exempt from permit requirements if green or animal material is produced and composted on site, and a similar amount of compost is returned to the site or another property operated by the agriculturist. Agricultural materials composting operations and facilities are regulated through the California Code of Regulations and the Public Resources Code which are enforced by a number of different governmental agencies.

The county should evaluate the issues associated with land applications of bio-solids (sludge). If it is determined that there are benefits to agriculture to allow such applications, guidelines should be prepared to specify how and where such materials may be applied. The county Agricultural Commissioner, Environmental Health Department and the Department of Planning and Building should work cooperatively with U.C. Cooperative Extension, the Regional Water Quality Control Board, waste generators, land owners,

be applied. The county Agricultural Commissioner, Environmental Health Department and the Department of Planning and Building should work cooperatively with U.C. Cooperative Extension, the Regional Water Quality Control Board, waste generators, land owners, researchers and environmental organizations to carefully evaluate this issue to determine the appropriate actions to take.

Implementation:

1. Composting should be encouraged through voluntary action of landowners and operators.

Timeline: Ongoing.

2. The Board of Supervisors should ask the county Agriculture and Environmental Health Departments, with public participation and input, to develop recommendations as to whether and under what circumstances bio-solids can be used on agricultural lands.

Timeline: 12 months from plan adoption.

3. The county should continue to participate in public educational programs concerning issues associated with land application of bio-solids.

Timeline: Ongoing.

Policies regarding the protection of agricultural lands.

Sales of existing lots in rural subdivisions and other substandard-size parcels scattered throughout the county can result in major adverse impacts on agricultural land use. Many areas containing small parcels are still owned and operated as large farms and ranches. Some of these areas are protected for the term of land conservation contracts because the contracts prohibit conveyance of individual parcels or groups of parcels that are smaller than the minimum parcel sizes applied to agricultural preserves. However, many small parcels are not given that protection through agricultural preserve contracts. Many of these parcels could also become available for sale if the land owners decide to file a notice of non-renewal of an ag preserve contract in order to be able to offer the parcels for eventual sale. The impacts on agriculture could be serious and long-term.

Agricultural land owners should be encouraged to enter into land conservation contracts. However, additional protection programs are needed that are focused on productive agricultural resources and cost effective to implement.

The following policies focus on agricultural land protection by addressing agricultural preserves, lot line adjustments, transfer of development credits (TDC's), and other conservation tools and strategies that may be useful in protecting agricultural resources.

AGP14: Agricultural Preserve Program.

- a. **Encourage eligible property owners to participate in the county's agricultural preserve program.**

Discussion: Through 1995, cropland and grazing lands involved approximately 1,160,400 acres (including acreage in the Conservation and Reserve Program) or 55 percent of the total county area (2,122,240 acres) and accounted for approximately 74 percent of privately-owned lands in the county. The agricultural preserve program continues to be the primary program for long-term protection of agricultural land in the county. A Land Conservation Act (Williamson Act) contract provides tax incentives for land owners to participate in the program in exchange for agreeing to keep their properties in large parcels and in agricultural uses for minimum terms of 10 or 20 years, depending on property location. A contract reduces property taxes to reflect the production value of agricultural land, thereby promoting long-term agricultural use.

The county has a strong agricultural preserve program. Between 1980 and January 1, 1998, approximately 109,200 acres have been added to the contracted lands. However, there has still been pressure to convert agricultural land to non-agricultural use. Since adoption of the Land Use Element/Land Use Ordinance system in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

The pressure for conversion can also be seen in statistics compiled by the California Department of Conservation, the agency that oversees the state's Williamson Act program. Those statistics show that while the county had approximately 769,200 acres under Williamson Act contract as of January 1, 1998, notices of non-renewal are filed on approximately 8,000 acres of these contracted lands.

The county should continue to support incentives to encourage land owners to participate in the agricultural preserve program. These incentives can include such things as the continued subsidization of application processing fees for new agricultural preserves, as well as timely processing of land use permit applications for agriculturally-related development on lands under agricultural preserve contracts. Detailed policies to maintain and strengthen the agricultural preserve program are described in the county "Rules of Procedure to Implement the California Land Conservation Act of 1965," as adopted by the Board of Supervisors.

The state legislature has also recognized that additional incentives are needed to expand options for landowners who wish to gain longer term farmland protection than otherwise available through a conventional Williamson Act contract. Amendments to the Land Conservation Act in 1998, added a new option called a "farmland security zone." Under this amendment to the Act, land owners may voluntarily rescind an existing contract in order to simultaneously enter into a new contract designating the property as a farmland security zone. The term of the contract shall be not less than 20 years, with an automatic annual one year extension of the initial term unless a notice of nonrenewal is filed by the owner.

Lands covered by a contract in a farmland security zone will receive additional protection through tax valuation provisions in the Revenue and Taxation Code, application at a reduced rate of any special tax approved by the voters for urban-related services, limitations on the annexation of lands under such a designation and contract to a city or special district, and a prohibition against a school district declaring local zoning regulations inapplicable to lands to be used or acquired by the district. The county should amend its Rules of Procedure to incorporate this legislation, inform holders of existing Williamson Act contracts of this new option and assist any interested owners in applying it to their land.

In another tax-related matter, family farmers should be made aware of the opportunity to measurably reduce federal death taxes by electing to use Internal Revenue Service Section 2032A (Special Use Valuation). A summary of qualifications for that section is included in the county Rules of Procedure referenced above.

Implementation:

1. As an incentive for land owners to participate in the agricultural preserve program, the county should continue to provide a subsidy to the application filing fees for processing applications to establish agricultural preserves. In addition, the Department of Planning and Building shall provide timely processing of land use permit applications for agriculturally-related development on land subject to Williamson Act contract.

Timeframe: Ongoing.

2. The County Agricultural Preserve Review Committee should consider, and recommend to the Board of Supervisors, proposed amendments to the county Rules of Procedure to incorporate recent changes to the Land Conservation Act (Williamson Act) that provide for the creation of "farm security zones," and recommended procedures by which a landowner may voluntarily enter into a new contract designating the property in such a zone.

Timeframe: 12 months from plan adoption.

AGP 15: Transfer of Development Credits (TDC).

- a. **Continue to utilize a voluntary TDC program to help protect agricultural resources by guiding development to more suitable areas.**

Discussion: The adopted TDC program is applicable in the inland areas of the county, not in the coastal zone. As noted in Framework for Planning of the LUE, a TDC program is a planning tool that "...allows the right to develop (called credits) to be separated from one site (the sending site) and moved to another (the receiving site). The transfer of the credits reduces the development possible on the sending site and increases the development possible on the receiving site." The program is "...voluntary, incentive-based, and market-driven between willing sellers and willing buyers. Land owners are not obligated to use this technique to request an amendment to the general plan or to subdivide property in conformance with existing regulations."

Framework for Planning contains an important statement about the objectives of the TDC program, as follows:

"The primary purpose of the TDC program is to promote appropriate settlement patterns while maintaining an overall level of development within the service capacities of transportation and other public service systems. As a countywide program it endeavors to: protect both land with agricultural capability and the business of agriculture itself; reduce development potential within land divisions or other areas that do not have adequate services for residents; protect important or extraordinary natural areas, habitats or cultural resources; reduce development potential in areas that may have the potential for landslides, fires, or other hazards; and reduce air quality impacts associated with locating residential development distant from jobs, schools, shopping and recreation."

The TDC program can be an effective way to direct growth and development away from agricultural areas, thereby reducing potential conflicts with agricultural activities. This voluntary program can also help the owner of agricultural lands achieve the value of the potential development without having to sell the property or otherwise develop it. Use of the TDC program may also offer potential tax benefits to the property owners, but that will depend on the circumstances of each ownership.

The TDC ordinance is adopted in the Land Use Ordinance which sets out the procedures and standards for its use. The county should continue to encourage landowners to consider using the TDC ordinance as another available tool to meeting their needs. Amendments should also be proposed to the Local Coastal Plan that would allow the use of TDC's in the coastal zone.

Implementation:

1. Ongoing through the voluntary action of land owners.
2. Prepare proposed amendments to the LCP that would add the voluntary TDC program as an available land use tool in the coastal zone.

Timeframe: 18 months from plan adoption.

AGP16: Agricultural Land Conservation Programs.

- a. Encourage and support efforts by non-profit and other conservation organizations to protect agricultural lands and maintain agricultural production.
- b. Consider establishing a limited county program to acquire conservation easements or development rights from willing land owners. Such programs should encourage maximum flexibility for agricultural operations.

Discussion: There are a number of organizations active in farmland protection programs. Private non-profit conservation organizations include the San Luis Obispo Land Conservancy, The Nature Conservancy, and the American Farmland Trust.

The San Luis Obispo Land Conservancy provides assistance to land owners interested in protecting agricultural, aesthetic and ecological values on their land. They offer counseling and assistance in establishing conservation easements, transfer of development credits, estate donation, and other conservation programs.

The American Farmland Trust (AFT) is a national organization dedicated to the conservation of productive farmland. AFT increases public awareness of agricultural issues, provides technical assistance to government agencies and private organizations, and engages in individual farmland conservation real estate transactions.

The Coastal Conservancy is a state agency also actively engaged in farmland preservation programs in California coastal counties. The Coastal Conservancy has been active in San Luis Obispo County, working on projects with incorporated cities, as well as in the unincorporated areas of the county.

In 1998, the county was successful in securing a grant from the Agricultural Land Stewardship Program (see discussion in chapter 1) to assist in the investigation of the potential impacts of antiquated subdivisions on areas of intensifying agriculture. The grant funding will enable the compilation of a database of the antiquated subdivisions in areas of the county where agricultural intensification is occurring, especially vineyards, so as to assess the potential impact to agriculture if the underlying lots are developed with non-

agricultural uses. When completed, that evaluation should help provide further direction to the goals and policies of this general plan element, as well as to the Land Use Element. The county should continue to actively pursue participation in this grant program as future funds become available to address agricultural issues.

The following acquisition strategies are examples of some of the measures that could be carried out by conservation organizations or by the county. In all cases they should be accomplished between willing buyers and sellers. **In those limited instances where the County may be an active participant, the primary focus of these strategies should be on purchase of easements and development rights, rather than the outright purchase of agricultural lands.** While any of the potential programs could have costs and operational concerns, there may be some limited application in appropriate circumstances, although public purchase may be the most problematic due to limited public funds.

The following strategies are not an all-inclusive list and other creative methods will need to be developed and implemented over time.

Purchase of Development Rights and Conservation Easements. The purchase of development rights (PDR) from a willing seller retires development potential through deed restrictions, leaving land owners all other rights of ownership except the right to sell homesites or to establish other types of development, for which the rights have voluntarily been extinguished. Land owners may receive income and estate tax benefits, in addition to protecting local agricultural areas from conversion to other uses. However, there could also be tax penalties due to capital gains tax.

Land owners can also choose to enter into conservation easements to protect agricultural land. A "Bargain Sale Conservation Easement" allows the land owner to receive cash income, but provides a way to offset increased capital gains tax.

See Appendix J for a further discussion of these programs.

Purchase and Resale or Lease with Restrictions. This strategy involves purchasing land and placing restrictions on its use and development. The land is then resold at a reduced market price that reflects the land use restrictions. The end result is equivalent to purchase of development rights. This concept may be more appropriate for entities other than the County to enter into.

Fee Simple Purchase and Lease-Back. This strategy protects farmland through outright purchase. Both real property and estate tax problems can be solved for farmers who sell their land to a public agency or conservation organization. Fee simple purchase can be very costly. This strategy should be considered the lowest priority by the County and may be most appropriate for other conservation organizations to pursue.

Long-term Conservation Lease. Where agricultural lands also contain open space resources that are worthy of protection, such as riparian habitat, scenic qualities, etc., but the land owner is not interested in selling the property or the development rights, an alternate approach may be to enter into long-term conservation leases. Similar to the provisions of a Williamson Act contract, such a lease could offer protection of the resources for an extended period of time, while also offering the property owner a revenue stream that will enable maintenance of the agricultural activities. The lease could be held by a conservation organization, with the term of the lease automatically renewed annually for another year similar to a Williamson Act contract. This, and other creative methods of resource conservation, should be explored more fully.

Implementation:

1. The Department of Planning and Building, in cooperation with the county Agriculture Department and U.C. Cooperative Extension, should assist agricultural and conservation organizations in developing and implementing programs to conserve agricultural land. The agencies should prepare a public information brochure for distribution to the agricultural community making them aware of the advantages of participating in such programs.

Timeframe: 12 months from plan adoption.

2. In cooperation and coordination with conservation organizations and other jurisdictions, the county should explore the possibility of establishing a program to protect agricultural lands by purchasing development rights and conservation easements from willing sellers, by offering long-term conservation easements, or through other innovative programs.

Timeframe: To be determined by Board of Supervisors after plan adoption.

3. The County should actively pursue grant funds under provisions of the Agricultural Land Stewardship Program Act of 1995, to assist with the implementation measures contained in this Agriculture and Open Space Element.

Timeframe: Ongoing after plan adoption.

AGP17: Agricultural Buffers.

- a. **Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisor (see Appendix D).**

Discussion: New residential and other non-agricultural uses that are proposed adjacent to agricultural land or uses may result in land use conflicts. Residential and other non-agricultural uses can be adversely affected by odors, noise, dust and pesticide use. Farmers and ranchers are affected by resident complaints and lawsuits, pilferage of vegetables and fruits, increased incidence of trespass, theft and vandalism, disturbance of livestock by dogs and people, introduction of plant and animal pests and diseases harmful to agricultural uses, increased potential for fire on dry farm and grazing lands, and competition for available water resources.

The LUO contains a number of location and setback standards to separate existing residential areas and uses from potentially incompatible agricultural uses such as feedlots, poultry ranches, or hog farms. In addition, the Board of Supervisors has adopted policies for establishing buffers between agricultural areas and non-agricultural development in order to minimize possible land use conflicts. A further modification to those policies should be considered that would include a provision for public disclosure that a buffer has been applied to a property as part of the county's approval of a discretionary land use permit. The disclosure would provide notice to prospective buyers and sellers that such a restriction applies.

Implementation:

1. The County Department of Agriculture shall review applications for land division, lot line adjustments, land use permits and proposed general plan amendments for consistency with the agricultural buffer policies adopted by the Board of Supervisors (see Appendix D).

Timeframe: Ongoing.

2. The Department of Planning and Building, the County Department of Agriculture, and agricultural industry groups should develop proposed amendments to the Agricultural Buffer Policy establishing a disclosure process (similar to that found in the Right-to-Farm Ordinance, Title 5 of the County Code) that would inform potential buyers and sellers of properties that, as part of the county's approval of a discretionary land use permit, an agricultural buffer has been applied to a property.

Timeframe: 24 months from plan adoption.

AGP18: Location of Improvements.

- a. **Locate new buildings, access roads, and structures so as to protect agricultural land.**

Discussion: This policy is intended to ensure that new facilities will be sited so that the most productive agricultural land will be kept available for agricultural production. On such land, allowable uses should generally be limited to those that are most directly related to agricultural production. Such limitations are found in existing inland LUE planning area standards that limit uses in the Arroyo Grande, Nipomo and Oso Flaco Valleys.

Implementation: Consistent with Agricultural Goal AG1d, no new permitting requirements are proposed for agricultural development that is currently exempt. The required level of permit processing for non-exempt projects should remain at the lowest possible level consistent with protection of agricultural resources. The Department of Planning and Building should:

1. Propose amendments to the LUO as needed to establish standards for projects requiring discretionary approval on irrigated lands or dry farm lands by either (a) locating new buildings, structures and roads on a very limited portion of the total site area, or (b) locating such improvements on the least productive portions of the property, or (c) locating such roads so they do not bisect farm fields, or (d) locating facilities outside sensitive habitats consistent with AGP 25, unless the discretionary review shows there is no practical alternative for siting the proposed facility.

Timeframe: 24 months from plan adoption.

2. Propose amendments to Framework for Planning and applicable planning area standards in area plans to limit allowable uses on row crop terrain and soils (as discussed earlier in this chapter under the heading "What is agricultural land?") to those uses that are most directly related to agricultural production (see Appendix J for an example of allowable uses).

Timeframe: For Framework for Planning, 24 months from plan adoption. For area plans, as part of scheduled updates, or 18 months from plan adoption for area plans not scheduled for updating in that time frame.

AGP19: Consolidation of Public and Private Land Holdings.

- a. **Encourage consolidation of publicly and privately owned lands that will facilitate both better management of public lands and better operation of farms and ranches.**

- b. **Encourage the sale or trade of isolated publicly-owned parcels that are contiguous to privately owned lands designated Agriculture. Use voluntary merger or lot line adjustment processes so there is no increase in the number of privately owned parcels.**

Discussion: Los Padres National Forest and Bureau of Land Management (BLM) lands include scattered parcels in agricultural areas. Likewise, private in-holdings occur within these federal lands. The county should encourage consolidation of land holdings; for example, through land trades between private land owners and federal, state or local government agencies. However, land that is transferred from public to private ownership should not contain significant scenic, recreational or biological resources.

Implementation: The county Department of Planning and Building, with assistance from the county Agriculture Department, should work with the U.S. Forest Service, BLM and appropriate state and county agencies to prepare a complete inventory of parcels under federal, state or county ownership that are suitable for agricultural use and would be appropriate for consolidation and transfer from public to private ownership. Consult with adjacent private property owners before any transfers occur from public to private ownership.

Timeframe: 36 months from plan adoption.

AGP20: Agricultural Land Divisions.

- a. **Where a division of agricultural lands is proposed, a contiguous cluster division consistent with AGP 22 or 23 is an alternative to a conventional "lot split" land division.**
- b. **Where a land division is proposed, the proposed parcels should be designed to ensure the long term protection of agricultural resources.**

Discussion: Where lands can qualify for subdivision based on the parcel size criteria described in AGP 21, the use of agricultural cluster divisions consistent with AGP 22 and 23 may be the preferred alternative over the conventional "lot split" land divisions. Agricultural cluster divisions provide a way to protect lands for continued and enhanced agricultural production, particularly if the homes are clustered in a compact, contiguous manner which reduces the agricultural/residential interface.

When any division of agricultural land is proposed, the county Agriculture Department should carefully review the proposal. The primary concern should be that the resulting parcels will maintain the land resources, so they will have a strong likelihood of remaining in long-term sustainable agriculture.

To encourage the use of a cluster design, there should be an increase in the number of parcels that will provide a sufficient incentive to the land owner to choose the cluster approach. In return for that increase, areas of the site intended for agricultural production are permanently protected by a recorded open space easement, as well as being placed in a Land Conservation Act (Williamson Act) contract that will provide long-term protection of the agricultural resources.

There will be circumstances where a land owner proposes a conventional division of agricultural land and does not wish to accomplish an increase in the number of parcels, or the owner believes the conventional design best meets the agricultural goals for the property. For such a project, the Agriculture Department's review should include consideration of designated building envelopes, as well as a possible limitation on the number of residences that can be established on the proposed parcels. Since the proposed parcels would also be reviewed against the criteria found in Figure 2-2, the resulting parcels would qualify for an agricultural preserve (Williamson Act) contract for further protection of the agricultural resources. Other agricultural or conservation easements on the agricultural portions of the proposed parcels should also be considered.

Implementation:

1. The Department of Planning and Building should propose amendments to the LUO and CZLUO to implement this policy.

Timeframe: 18 months from plan adoption.

2. During the CEQA-required environmental review of discretionary land divisions, where the land contains sensitive environmental features and involves active agricultural production or has the potential for agricultural production, the value of the environmental resources should be weighed against the value of agricultural production.

Timeframe: Ongoing through the review of development projects.

AGP21: Minimum Parcel Size Criteria for the Division of Agricultural Lands.

- a. **Minimum parcel sizes for the proposed division of land designated Agriculture shall be based upon the existing and potential use of the land for cropland and grazing. Minimum parcel size standards for the creation of new parcels are shown in Figure 2-2.**

Discussion: The purpose of this policy is to revise the method of determining minimum parcel sizes for new land divisions to emphasize protection of the agricultural land resource for long-term crop production and grazing uses. The existing LUO contains three methods

for determining minimum parcel sizes for proposed divisions of land in the Agriculture category: (1) size based on existing agricultural use; (2) size based on land capability; and (3) size based on Williamson Act contract.

This policy would be implemented in two ways: increase the minimum parcel size from 20 to 40 acres for land under existing irrigated uses; and increase the minimum parcel size from 20 to 40 acres for lands designated as Class I or II soils. To accomplish this, amendments should be adopted for both the LUO and the county agricultural preserve Rules of Procedure.

When proposed parcel sizes are based on existing agricultural uses, the minimum parcel sizes should be large enough to sustain farming practices and minimize incompatibility between adjacent agricultural uses. To accomplish this, the minimum parcel size for lands with existing irrigated crops should be increased to a 40 acre minimum, up from the current 20 and 30 acre minimums in the LUO.

However, there should also be the flexibility to achieve new parcels as small as 20 acres, provided the proposed land division can meet specific criteria that will ensure the long-term viability of the new parcels to remain in production agriculture. The criteria should include the following: the soils must be Class I or II irrigated; there must be at least 18 acres of the 20 acre parcel planted with irrigated row crops, speciality crops, orchards or vineyards; there must be a production water source in place; there should be only one primary residence; and the created parcels must go into a Williamson Act contract in accordance with the county Rules of Procedure.

Implementing this policy would also require another amendment to the LUO. Under the use test, the existence of specialized animal facilities as the basis for a proposed land division should be eliminated. These types of uses, such as large scale horse ranches, feedlots, auction facilities, etc. (see definition in LUE Framework for Planning), are often not dependent on the land resource and may be shorter-term uses.

Finally, the "averaging test" should also be eliminated. This existing LUO provision allows the use of the average size of abutting parcels to be used to determine the minimum parcel size for the proposed land division of agricultural land. This practice results in agricultural properties breaking down based on smaller adjacent parcels, rather than making sure that the proposed parcels will enable long term agricultural productivity.

Implementation: The Department of Planning and Building should propose amendments to the LUO, CZLUO and the agricultural preserve Rules of Procedure to accomplish the following:

1. Incorporate this policy, as described in the above discussion, including the minimum parcel size standards for creation of new parcels, as shown in the

following Figure 2-2. Eliminate specialized animal facilities as a basis for proposed division of agricultural lands.

2. Eliminate the averaging test that determines minimum parcel sizes based on the average size of adjacent parcels in the Agriculture land use category.
3. Apply the minimum parcel size standards in Figure 2-2 to proposed land divisions in existing and new agricultural preserves and land conservation contracts, unless a larger minimum parcel size is specified in an existing Williamson Act land conservation contract.
4. Refer proposed divisions of agricultural lands to the County Department of Agriculture for review as to whether the proposed parcels can be expected to be sustainable agricultural parcels.
5. Require that divisions of agricultural lands include covenants, conditions and restrictions (CC & R's) that notify subsequent owners that they are purchasing land in an agricultural area and that the county supports its "Right-to-Farm Ordinance" for protection of agricultural operations.

Implementation: 18 months from plan adoption.

FIGURE 2-2
MINIMUM PARCEL SIZE (ACRES) FOR NEW LAND
DIVISIONS OF LANDS DESIGNATED AGRICULTURE (1)

Natural Resource Conservation Service Land Capability Classification(2)	Irrigated(2,3,4)	Non-irrigated(2)
I, II (3)	40 acres; 20 acres if planted	---
III, IV	40	160
VI, VII	40 w/orchards or vineyards	320
VIII	---	320

Notes:

1. The parcel sizes in this table represent the minimum sizes allowable. Discretionary review of proposed land division applications may result in parcel sizes larger than those listed in the table.
2. For lands under Williamson Act contracts where portions of the property have different land capability ratings and agricultural uses, minimum parcel size(s) is determined per the county Rules of Procedure to Implement the California Land Conservation Act of 1966 (see Appendix A).
3. Land must be irrigated to qualify for an NRCS rating of Class I or II. Refer to the Glossary for the definition of irrigated. See Appendix C for a definition of irrigated lands as used in this element, as well as the general soil maps published by the USDA.
4. Proposed parcels may be as small as 20 acres if the following criteria are met:
 - a. the proposed parcels must be Class I and II soils, irrigated;
 - b. there must be at least 18 acres planted in irrigated row crops, specialty crops, field crops, orchards or vineyards;
 - c. there must be a production water source installed;
 - d. each proposed parcel will be limited to one primary residence; and
 - e. the resulting parcels must enter into a Williamson Act agricultural preserve contract in accordance with the county Rules of Procedure.

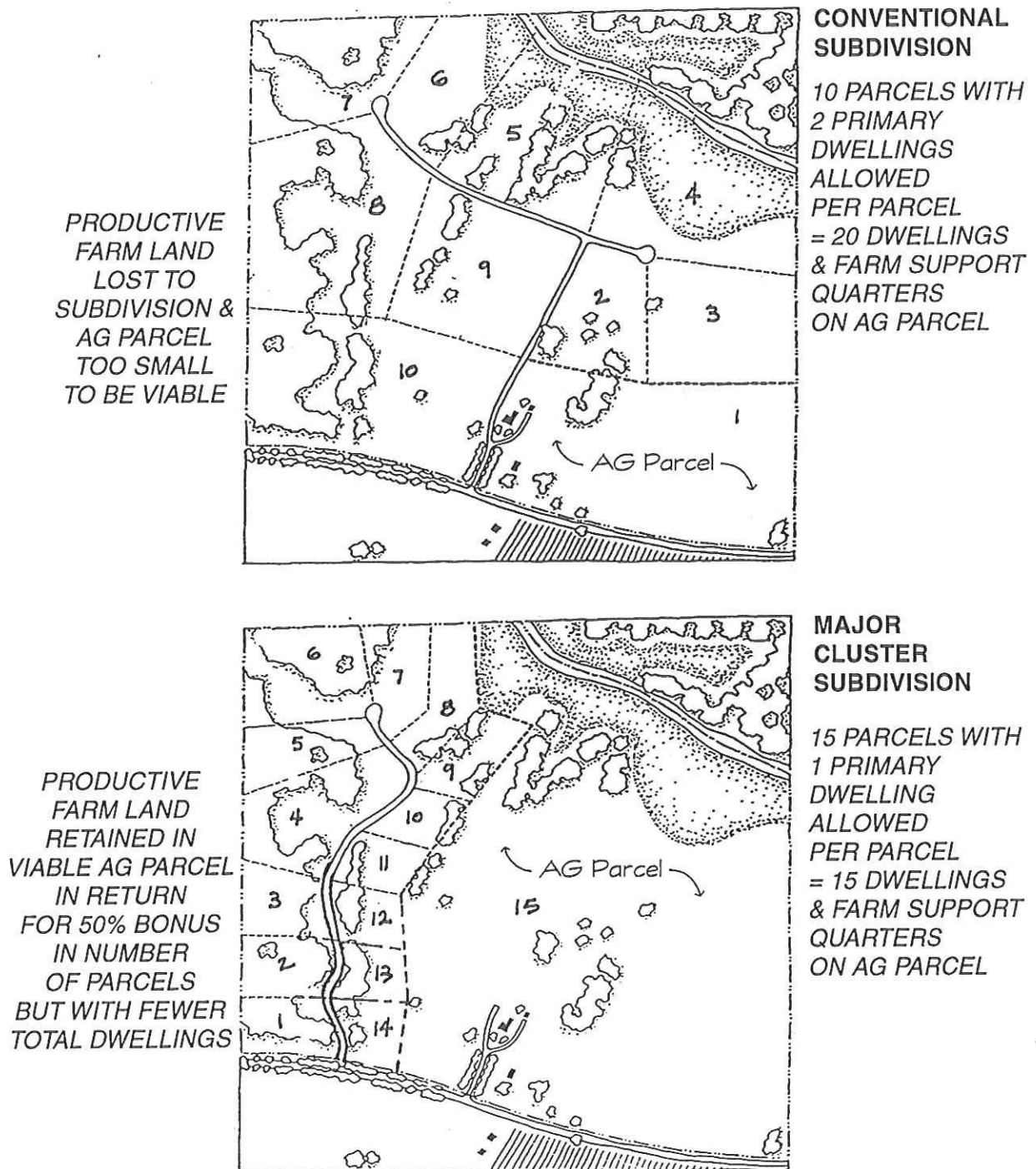
AGP22: Major Agricultural Cluster Projects (not available in Coastal Zone)

- a. **Properties that are partly or entirely within five miles of the urban and village reserve lines designated in the LUO and that meet the minimum area criteria can apply for a major agriculture cluster.**
- b. **The maximum number of parcels allowed in a major agricultural cluster project shall be equivalent to the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria specified in Figure 2-2. (Major agricultural cluster projects may include a reduction in the number of parcels down to 26% of the maximum potential allowance if proposed by the applicant in order to mitigate potential impacts of the project.)**
- c. **All resulting agricultural parcels must meet the minimum parcel size criteria of Figure 2-2 and must be covered by a permanent agricultural open space easement.**
- d. **All resulting residential parcels are entitled to one dwelling per parcel.**
- e. **Whether or not an EIR must be prepared will be determined by the CEQA "initial study."**
- f. **Consistent with the provisions of the existing agricultural cluster ordinance in the LUO, areas of the site intended for agricultural production must be permanently protected by a recorded open space easement and be placed in a Land Conservation Act (Williamson Act) contract.**

Discussion: The Board of Supervisors adopted the agricultural cluster ordinance in 1984 as a tool available to inland property owners to "encourage the preservation of agricultural lands...for the continuing and enhanced production of food and fiber..." As an incentive, the ordinance states that it is the Board's policy to "encourage the use of clustering by allowing the number of cluster parcels to equal the number of dwelling units normally permitted on a standard agricultural land division" (LUO Section 22.04.037). See Fig. 2-3 for an illustration of the cluster project concept.

The existing ordinance provides for the development of residential cluster divisions on large properties in the Agriculture land use category located outside the coastal zone. In order to apply for an agricultural cluster project, these properties must be at least 160 acres in size if located within one mile of the urban reserve line of San Miguel, Paso Robles, Atascadero, San Luis Obispo, Arroyo Grande and Nipomo, and the Creston

Figure 2-3



village reserve line, and up to 2,560 acres at five miles from an urban or village reserve line. The existing ordinance also requires that the clustered lots be within the five mile boundary if other portions of the project site exceed five miles, and also mandates that an environmental impact report (EIR) be prepared for any proposed ag cluster project.

The purpose of this policy is to make several proposed amendments to the existing ordinance to provide more incentives for its use, as well as to make a distinction between "major" and "minor" ag cluster projects so that minor ag cluster projects could become available to land owners in the coastal zone. Major ag cluster projects can be expected to be more intensive projects. Therefore, it is reasonable to continue to limit these types of projects to within five miles of the specified urban and village reserve lines. The less intensive minor ag cluster projects envisioned by AGP 23 offer another option to land owners within the five mile area as well as in the outlying rural areas of the county (greater than five miles), including in the coastal zone, to achieve some added development density over what they could achieve with a standard land division, in return for protecting and enhancing their agricultural operation.

If major ag cluster projects are to be an alternative for proposed divisions of agricultural properties in the areas around the specified communities, several important revisions to the existing ordinance should be considered, as follows:

1. The minimum acreage currently required to apply for a major agricultural cluster project should be amended to require that the resulting agricultural parcel(s) meet the minimum parcel size standards specified in Figure 2-2 and be placed in a Williamson Act ag preserve contract as specified in the county Rules of Procedure (in accordance with the existing provisions in Land Use Ordinance Section 22.04.037j(5), the parcel(s) would also be covered by an open space easement that exists as long as the clustered residential lots exist).
2. Add the urban reserve line of the City of Santa Maria to the list of specified communities around which a major ag cluster project can be proposed where the candidate site is located outside the coastal zone, thereby adding this tool as an option in the rich agricultural area of the Santa Maria and Oso Flaco Valleys.
3. Revise the mandatory requirement for an EIR as follows:
 - a. Eliminate the mandatory EIR and instead allow the CEQA "initial study" process to determine whether an EIR should be prepared. The initial study should closely examine the potential impacts on the long-term protection of the agricultural, environmental and biological resources, as well as the availability of and potential impacts on resources such as water, traffic, air quality, schools and other public services and facilities.

4. For projects where portions of the project site lie outside the specified five mile boundary, revise the ordinance to eliminate the current requirement that the proposed cluster lots be located within the five mile limit. Instead, allow the proposed clustered lots to be located anywhere on the project site that will have the least impacts on the agricultural operations.

Implementation:

1. The Department of Planning and Building should prepare amendments to the LUO as described above to implement the policy.

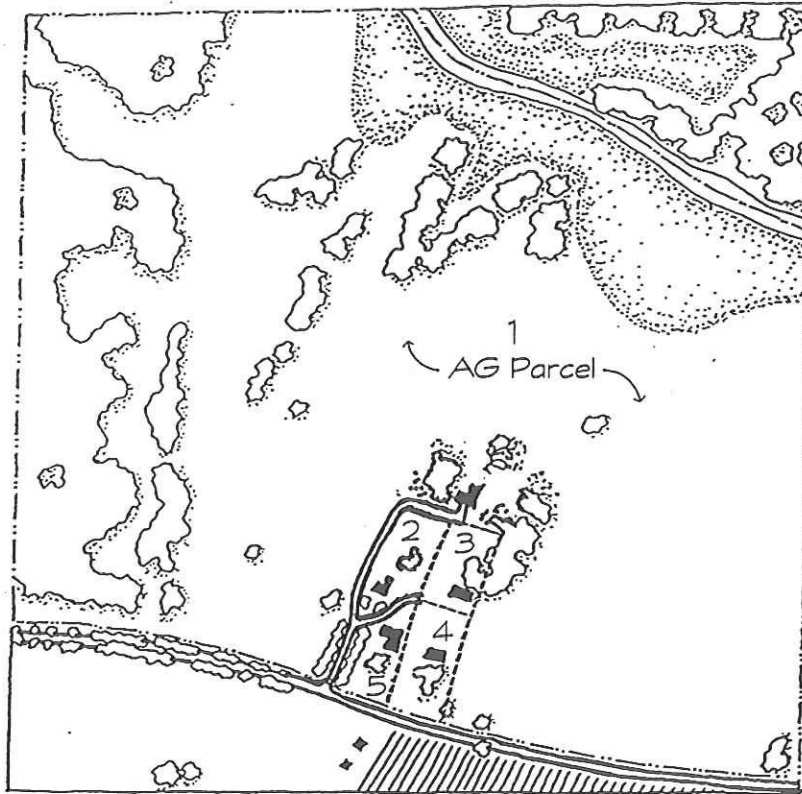
Timeframe: 18 months from plan adoption.

AGP23: Minor Agricultural Cluster Projects.

- a. Properties throughout the county, including the coastal zone, can apply for a minor agriculture cluster project.
- b. The maximum number of parcels allowed in a minor agricultural cluster project shall be equivalent to the number of parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria specified in Figure 2-2, with an increase of at least one more parcel or up to a maximum 25% increase in the number of parcels that could be achieved with a conventional land division.
- c. All resulting agricultural parcels must meet the minimum parcel size criteria specified in Figure 2-2 and must be covered by a permanent agricultural open space easement.
- d. All resulting residential parcels are entitled to one dwelling per parcel.

Discussion: This policy is proposed to be applicable throughout the county, including the coastal zone. This policy would allow the use of a cluster design for agricultural land divisions where the applicant wants to propose a project less intense than a major cluster division as described in AGP22 above. Since the Coastal Act and the county's Local Coastal Plan place so much emphasis on the long-term protection of coastal agriculture, making this design tool available in the coastal zone is an important addition to the CZLUO. See Figure 2-4 for an illustration of the minor cluster project concept.

Figure 2-4



PROPERTY QUALIFIES FOR 4 PARCELS IF
CONVENTIONAL SUBDIVISION.

MINOR CLUSTER PROJECT:

4 PARCELS WITH ONE PRIMARY DWELLING

+ 1 PARCEL (25% DENSITY BONUS) FOR AG PARCEL.

One of the reasons for this policy is to encourage agriculturalists to stay on the land and not sell the family farm. For example, agriculturalists often have a legitimate business need to subdivide land for financing purposes. In addition, they may need a limited number of small homesites for members of the agricultural family so that they can stay on the land for the long-term. At the present time, the only option available to these agriculturalists is to propose a conventional land division that may actually prove more harmful than beneficial to the long-term protection of the agricultural resources.

The implementation for this policy addresses those needs by providing for creation of a limited number of small parcels. Another benefit of this policy is that by encouraging cluster division, agricultural lands can be permanently protected for continued and enhanced agricultural production.

Many agriculturalists feel that there are not enough incentives or flexibility in the current land use regulations to encourage property owners to subdivide land using a cluster approach instead of a conventional land division. As a result, cluster land divisions are rarely used, even though the cluster division may be the most appropriate to protect agricultural resources.

The implementation of this policy addresses those concerns by providing for smaller parcel sizes and some density bonus, but not requiring that such projects meet the same requirements as a major agricultural cluster project (see AGP 22). The most important differences between the major and minor agricultural cluster project would be: minor cluster projects would be available for use anywhere in the county, including the coastal zone, and not be limited to within five miles of an urban/village reserve line; and minor cluster projects would receive a straight 25 percent density bonus, or at least one more lot than could be achieved with a standard land division.

In exchange for the increase in the number of parcels and the flexibility offered by the minor agricultural cluster approach, the agricultural lot(s) shall meet the minimum parcel size standards specified in Figure 2-2 and be placed in a Williamson Act agricultural preserve contract in accordance with the county Rules of Procedure, and should also be covered by a permanent agricultural open space easement as described for major agricultural cluster projects. CC&R's would be applied to the non-agricultural clustered lots to notify the purchasers that those lots are located in an agricultural area and that the county supports its "Right-to-Farm" ordinance for protection of agricultural operations. The cluster project application would also be given priority processing as a further incentive to the applicant.

Implementation: The Department of Planning and Building should propose amendments to the LUO and the CZLUO to establish standards for minor agricultural land divisions consistent with this policy and as described above.

Timeframe: 18 months from plan adoption.

AGP24: Conversion of Agricultural Land.

- a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:
 1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.
 2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.
 3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.
 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

Discussion: The purpose of this policy is twofold: to protect agricultural land at the urban fringe by limiting the expansion of urban development; and to discourage urban/suburban sprawl by preventing "leapfrog" development into the agricultural areas of the county.

Agricultural land is often converted to other uses for a variety of reasons, including: urban growth pressures, rising land values and speculation, competition between urban and agricultural uses, the desirability of large-lot rural homesites, subdivision of agricultural properties into parcels too small to sustain agricultural uses, piecemeal LUE amendments to non-agricultural land use categories, and a lack of policies that clearly define under what circumstances agricultural lands should be converted to other uses and land use designations in the general plan. This conversion of agricultural land has the potential to seriously erode the long-term protection of agricultural resources.

Even with the strong Williamson Act program in the county, there has been pressure to convert agricultural lands to other non-agricultural uses. Since adoption of the LUE in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

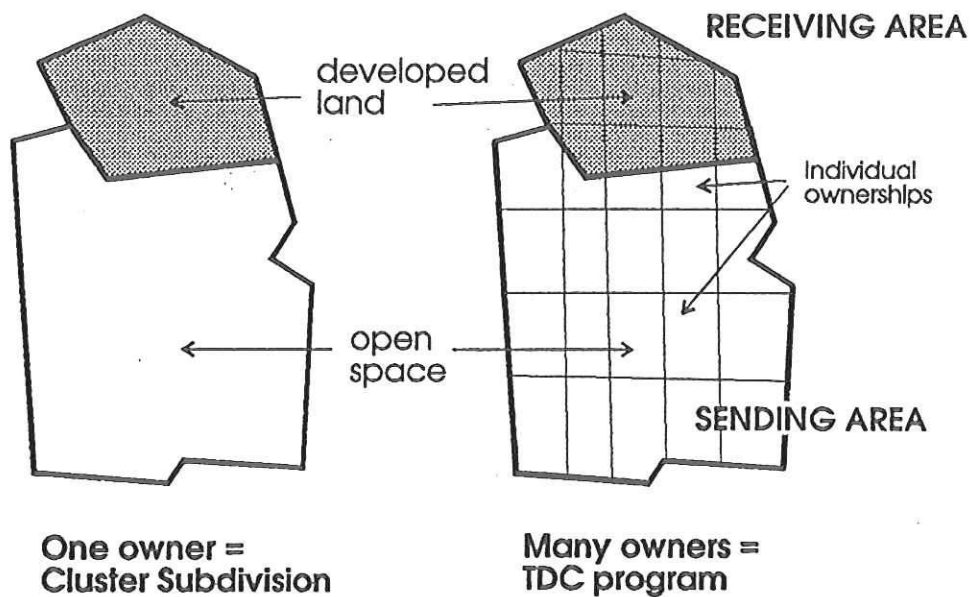
Statistics from the state Department of Conservation's farmland mapping program show that in the period between 1984 and 1995 (the last year for which statistics are available), there was an overall decrease in agricultural land of about 14,800 acres. There was a net

increase of Prime Farmland due to intensification (primarily irrigated vineyards); however, the net acreage of Farmland of Statewide Importance also declined by 783 acres.

The LUE contains a number of general goals that focus on the environment, distribution of land uses, phasing of urban development, and the provision of public services and facilities. Consistent with those goals, specific criteria should be developed for when it may be appropriate to convert agricultural lands to other uses. The criteria should include, but not necessarily be limited to, the following:

- ** Do not expand existing urban or village areas until such areas are largely built-out, or until such time as additional land is needed to accommodate necessary uses or services that cannot otherwise be accommodated within the existing urban or village area.
- ** Urban or village expansion should occur only where contiguous to an existing urban/village reserve line, as shown in the concept diagram in Figure 2-5, or where an entirely new urban or village area is needed in order to direct development away from surrounding agricultural or open space resources.
- ** Where urban expansion is to occur, it shall be annexed to an incorporated city or an existing community services district/county service area. The annexation shall occur only where the clustered development from rural property is to be located adjacent to the urban area, or when higher density development is to occur and where such development is consistent with resource and service capabilities and orderly extension of urban services.
- ** Where agricultural land is proposed for conversion to urban/suburban uses, give consideration to the protection of agricultural lands in the following priority order: row crop terrain and soils, specialty crops and forage lands, dry farm lands, and rangelands for grazing.

Figure 2-5



** Approve land for conversion from Agriculture to non-agriculture designations based upon a detailed site specific evaluation and consistency with the following findings:

- a. the land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element; and
- b. agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses; and
- c. adjacent lands are already substantially developed with uses that are incompatible with agricultural uses; and
- d. the conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture; and
- e. there is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.

- **** Approval of land conversions from agriculture to non-agricultural land uses will include a finding that the conversion will not materially reduce groundwater recharge.

Implementation:

1. In cooperation with the incorporated cities and service districts, consider the criteria described in the above discussion to develop policies and implementation measures that will provide for the protection of agricultural lands as well as appropriate urban expansion.
2. Based on the results from item #1 above, consider proposed amendments to Framework for Planning of the LUE that incorporates those policies and implementation measures into the guidelines for general plan amendments and revise the purpose and character statements for the Agriculture category so they are consistent with those criteria.

Timeframe: 24 months from plan adoption.

3. The Local Agency Formation Commission (LAFCO), in cooperation with the incorporated cities and service districts, should develop and adopt standards, criteria and procedures consistent with this plan and the LUE to be used in making decisions on proposed annexations and expansions of cities and service districts that may affect agricultural lands.

Timeframe: LAFCO adoption 18 months from adoption by the county of the criteria specified in item #1 above.

4. Refer proposed general plan amendment requests and proposed annexations and expansions of service districts to the County Department of Agriculture and affected community advisory groups whenever the proposal involves potential conversion of agricultural lands.

Timeframe: Ongoing.

Policies regarding the protection of open space resources on agricultural lands.

As noted in Chapter 1, this element seeks to equally address and balance agricultural and open space issues. This chapter, the Agriculture Element, has its primary focus on the agricultural resources of the county. However, it is recognized that productive agricultural lands can also contain valuable open space resources such as unique or sensitive habitat for plants and animals, wetlands, riparian vegetation, or scenic lands that are so important to defining the character of San

Luis Obispo County. Therefore, the following policies and implementation measures address the protection of open space resources on private lands designated (zoned) Agriculture in the LUE and in this element, as well as lands in other designations being used for production agriculture.

Many of these open space topics are also addressed in Chapter 3: The Open Space Element, where the focus is on the treatment of those resources on public lands and private non-agricultural lands. Therefore, the reader may also wish to review that chapter for additional background information and discussion.

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to not require permits for agriculturally-related projects that are currently exempt, and to keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats. The policies and recommended implementation measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

AGP25: Unique or Sensitive Habitat.

- a. **Encourage private landowners to protect and preserve unique or sensitive habitat.**
- b. **For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:**
 1. **Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.**
 2. **When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.**

Discussion: Consistent with the existing requirements of CEQA, the environmental review of discretionary permits on lands containing both agricultural and open space resources should make every effort to balance the mitigation of potential impacts on the open space resources with the needs of the agricultural operation so that both resources are equally protected. Early consultation with applicants can help define how the potential mitigation measures might affect the agricultural operation. In those instances where significant

impacts on the open space resources are identified, county approved mitigation measures shall be implemented consistent with the existing requirements of CEQA.

Implementation/Timeline: On-going through CEQA review of discretionary projects.

AGP26: Streams and Riparian Corridors.

The following policies apply to watercourses shown by a solid or broken blue line ("blue line" streams) on the latest U.S. Geological Survey (USGS) quadrangle maps and their associated riparian vegetation. As noted earlier in this chapter, the county's LCP shall take precedence over these policies where the LCP addresses these issues.

- a. Encourage private landowners to protect and preserve stream corridors in their natural state and to restore stream corridors that have been degraded. Provide information and incentives to eliminate overgrazing in stream corridors. Encourage off-stream livestock watering sources.
- b. For new development requiring a discretionary permit and for land divisions, protect streams and riparian habitat affected by the proposal through the following measures:
 1. Consistent with the requirements of the Regional Water Quality Control Board's Basin Plan, establish a grading and building setback of 30 feet from the top of the stream bank. Locate buildings and structures outside the setback. Do not remove riparian vegetation within 30 feet of the top of the stream bank. Provide for adjustments when the applicant demonstrates that such setbacks would have a significant negative impact on the agricultural viability of the site, or where alternatives are infeasible or more environmentally damaging, and the adjustments are acceptable to the Regional Board.
 2. Require appropriate erosion control measures during and following construction.
 3. Consistent with state and federal requirements, allow stream alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, or improvement of fish and wildlife habitat if there are no practical alternatives.
 4. Consistent with state and federal requirements, assure that stream diversion structures protect habitats.

5. **When significant impacts to stream or riparian resources are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.**

Discussion: Streams and riparian corridors are found throughout San Luis Obispo County. They are not only important resources in their own right, they often contribute to the health of the agricultural operation occurring on the same lands.

Mitigation of potential impacts on these resources is addressed through many state and federal programs and regulations, as well as development standards found in county plans and ordinances. In an effort to reduce or eliminate conflict between these regulations, the setback distances and other standards found in this policy are proposed to be consistent with the standards found in the Regional Water Quality Control Board Basin Plan.

The mitigation of impacts on streams and riparian corridors is to be evaluated through the review of discretionary projects. Where significant impacts are identified, county approved mitigation measures will be implemented under the provisions of CEQA.

Implementation:

1. The county Planning and Building Department, in consultation with the Agriculture Department, Regional Water Quality Control Board, California Department of Fish and Game, U.S. Fish and Wildlife Service, U.C. Cooperative Extension and the Resource Conservation Districts, should prepare public information materials regarding techniques for preserving and/or restoring riparian corridors.

Timeframe: 18 months from plan adoption.

2. Review all blue line streams shown on the current U.S.G.S. 7.5 minute quadrangle maps as appropriate to determine which should be in the Sensitive Resource Area Combining Designation, recognizing that not all blue line streams may be streams.
3. Prepare proposed amendments to the LUO and Title 21 to establish criteria development standards to implement this policy as described above.

Timeframe: 24 months from plan adoption.

AGP27: Natural Area Preserves.

Where the County considers the establishment of a proposed Natural Area Preserve that may include agricultural lands, or be adjacent to agricultural lands, the following policies shall apply:

- a. Designation and management of a proposed Natural Area Preserve under OSP 20 and OSP 21 shall not interfere with agricultural uses on private lands that are either within or adjacent to the proposed preserve.
- b. If the County purchases agricultural land from a willing seller for inclusion within a Natural Area Preserve, the County shall offer to lease the land for continued agricultural use, with priority being given to the seller or to an adjacent owner.
- c. The county shall take all reasonable measures to prevent trespass and damage to adjacent property owners.

Discussion: On September 1, 1992, the San Luis Obispo County Board of Supervisors adopted the Natural Area Plan, as previously approved by the County Parks and Recreation Commission. The plan contains goals and management strategies intended to "Provide guidelines for the creation of site specific management plans for maintaining the delicate and sensitive biosystems at County operated Natural Area Preserves" (emphasis added).

Consistent with the Natural Area Plan, the decision to acquire any lands for Natural Area Preserves rests with the Board of Supervisors. The site specific management plans for any preserves are to be approved by the County Parks and Recreation Commission prior to implementation. A more complete discussion, including policies for Natural Area Preserves, is found in Chapter 3: The Open Space Element, so the reader may wish to review that material for a more detailed discussion of the topic. Appendix B contains a copy of the adopted Natural Areas Plan that includes a description of each proposed preserve, including maps, approximate acreage, features, management objectives and restrictions, and other pertinent information.

Proposed Natural Area Preserves are intended to be created on lands operated by the County. The preserves described in the Natural Areas Plan may contain some lands suitable for agricultural uses, or may be adjacent to lands in agricultural use. The intent of this policy is to recognize that while it is important to consider establishment of Natural Area Preserves, the potential impact on agricultural uses should also be considered.

Implementation: On-going through implementation of the Natural Areas Plan by the County Board of Supervisors and the Parks and Recreation Commission.

AGP28: Major Ecosystems.

If the county considers the establishment of a network of Major Ecosystems as described in the Open Space Element (see chapter 3 and OSP 13 and OSP 14), the following factors shall be considered for how such a system may interact with agricultural lands:

- a. **Designation and management of a Major Ecosystem under OSP13 and OSP 14 shall not interfere with agricultural uses on private lands that are either within or adjacent to the Major Ecosystem.**
- b. **Landowners should be encouraged to adopt range and farmland management programs that will maintain and enhance the land as well as maintaining and protecting habitat and ecosystems.**
- c. **Any development of lands adjacent to an identified core area of a Major Ecosystem that requires a discretionary permit must follow CEQA to guide the types and uses and intensity of development so as to be consistent with the biological diversity and natural processes of the Major Ecosystem.**

Discussion: All land is part of a larger ecosystem. The actions taken on a parcel of land will affect surrounding lands in that larger ecosystem.

An ecosystem can be simply defined as all the components of a biological community and the physical environment, and the interactions among and between them. Since ecosystems are made up of many components, the challenge is to maintain the balance between those components. Giving priority to one component over another could inadvertently result in negative impacts to both.

Agricultural lands are also part of an ecosystem. The actions taken in support of agricultural activities will have an impact on the ecosystem. Likewise, actions taken to conserve an ecosystem will have an impact on agricultural lands and activities. Chapter 3: The Open Space Element, contains a more detailed discussion of ecosystems and a series of policies for their protection, including the possible designations of Major Ecosystems (see OSP 13 and 14).

Ecosystems are more than just the sum of their various components, involving a complex system of linkages between plants, animals, their environment, and humans. The key to maintaining the health of an ecosystem is to maintain the complex system of linkages in the ecosystem wherever possible. Large expanses of agricultural lands offer the potential to maintain those linkages while also continuing a viable and healthy agricultural industry in the county.

Implementation: On-going through the policies described in this element.

AGP29: Wildlife Corridors.

- a. **Identification or designation of a wildlife corridor under OSP15 shall not interfere with agricultural uses on private lands.**

- b. Encourage landowners to adopt range and farmland management practices that will not interfere with the migration of wildlife through their properties.
- c. When evaluating development proposals that require discretionary permits, identify and protect on-site wildlife corridors as part of the CEQA process.

Discussion: As discussed in AGP 28, one of the keys to healthy ecosystems is maintaining the linkages that exist within the system. Wildlife corridors are an important part of those linkages. In many instances, agricultural operations offer the capability for wildlife movement. Often, the landowners recognize the importance of these corridors and incorporate them into their management practices. The county, along with agricultural industry groups and educational organizations, should continue to offer encouragement to landowners to recognize the importance of wildlife corridors as a component of their farm management practices.

When a landowner proposes development that will require approval of a discretionary land use permit, the project will be subject to an environmental review process under CEQA. It is during the CEQA review that on-site wildlife corridors should be considered so that a project will have minimal impact on any such corridors, and to ensure that maintenance of the corridor(s) will have a minimal impact on the on-going agricultural operation. Typically, no regulatory conditions are imposed on the agricultural operation.

Implementation: On-going through the CEQA review of discretionary projects.

AGP30: Scenic Resources.

- a. Designation of a scenic corridor through the public hearing process as described under OSP24, and its subsequent management as described in OSP25, shall not interfere with agricultural uses on private lands.
- b. In designated scenic corridors, new development requiring a discretionary permit and land divisions shall address the protection of scenic vistas as follows:
 - 1. Balance the protection of the scenic resources with the protection of agricultural resources and facilities.
 - 2. When selecting locations for structures, access roads, or grading, the preferred locations will minimize visibility from the scenic corridor and be compatible with agricultural operations.
 - 3. Use natural landforms and vegetation to screen development whenever possible.

4. In prominent locations, encourage structures that blend with the natural landscape or are traditional for agriculture.

Discussion: One of the major attributes of San Luis Obispo County is its splendid scenic quality, and agriculture is a major contributor to that quality. It is the bucolic rural setting that is attractive to so many of the county residents, property owners and visitors, and contributes to the quality of life enjoyed by all.

A drive along scenic rural roadways is one of the many aspects of this county enjoyed by many people. OSP 24 and 25 in Chapter 3: The Open Space Element, establish policies for the evaluation of proposed county scenic corridors and the type of standards that should be applied to development in designated scenic corridors along public roads and highways. Where a designated scenic corridor passes through or along agricultural lands, establishment of the scenic corridor should not impact normal agricultural operations.

If the landowner along a county designated scenic corridor applies for a development application for a discretionary land use permit or land division, the CEQA review of the proposed project should seek to balance the protection of the scenic qualities along the corridor with the needs of the agricultural resources and facilities. The purpose of this policy is to provide direction as to how that balance should be accomplished without unduly restricting the agricultural operation. In those instance where the land owner establishes uses that are exempt from land use regulations, or applies for a ministerial land use permit, this policy provides guidance that the county encourages the landowner to voluntarily incorporate into the development proposal.

Implementation: Ongoing through the CEQA review of discretionary land permit applications, and through voluntary actions of land owners establishing uses that are exempt from permits or only need a ministerial permit.

AGP31: Recreational Use of Agricultural Lands.

- a. Encourage recreational uses on privately-owned lands on a case-by-case basis where such uses are compatible with on- and offsite agriculture and with scenic and environmentally sensitive resources.**

Discussion: The county general plan has long encouraged owners of rural properties to establish recreational opportunities on their lands where it is feasible and compatible with the agricultural and rural setting. This policy further recognizes that recreational uses can be an important part of the rural setting and should be developed so they are compatible with agricultural and environmental resources.

Implementation: Ongoing through the CEQA review of development proposals that require a discretionary land use permit, and through information provided to land owners for their voluntary use as they establish uses that are either exempt from permit requirements or need only a ministerial permit from the county.

AGP32: Trail Access to Public Lands.

- a. **In accordance with the County Trails Plan, access trails shall not conflict with agriculture or environmentally sensitive resources.**
- b. **Provide sufficient policing and maintenance so that trails do not result in trespass or in damage to sensitive resources, crops, livestock, other personal property, or individuals.**

Discussion: This policy is the companion to OSP 29 and OSP 30 regarding trails on private and public lands, including trails used by off-highway vehicles (OHV's). This policy gives support to the creation of trails in agricultural areas, as long as the establishment of the trails do not adversely impact agricultural activities and are between willing buyers and sellers. In all cases, establishment of trails shall conform to the requirement of the adopted County Trails Plan.

Implementation: Ongoing through implementation of the adopted County Trails Plan.

AGP33: Archaeological and Cultural Sites.

- a. **When reviewing discretionary development, protect sensitive archaeological and cultural sites by avoiding disturbance where feasible.**
- b. **If sensitive sites cannot be avoided, mitigate the impact of development to the maximum extent feasible.**

Discussion: Archaeological and cultural resources are found throughout the county, in all types of land use designations in the general plan. The purpose of this policy is to recognize that these important resources need to be treated with care as property owners conduct activities on their lands. The Land Use Ordinance contains development standards that may apply if the landowner applies for development permits. Particular attention will be paid to these resources if the landowner applies for a discretionary land use permit or land division, but compliance with state and federal regulations is required whether or not a permit might be required from the county.

Implementation: Ongoing through compliance with existing county, state and federal standards regulating the handling of these resources, and through the CEQA review of proposed discretionary land use permits and land divisions.

AGP34: Historical Resources.

- a. **When initiated by landowners, protect the character of significant historical features and settings by implementing the recommendation for historical resources found in the Historic Element of the Environment Plan.**

Discussion: The Historic Element of the Environment Plan, an element of the county general plan, provides guidance for the handling of historical resources. The Land Use Ordinance also contains standards that may apply when a landowner applies for development permits on a property containing historical resources. As with archeological and cultural resources, historical resources occur throughout the county in many different land use designations in the general plan. This policy gives further recognition to the importance for protecting these resources that are a critical piece of county history.

Implementation: Ongoing through voluntary actions of landowners, and through the CEQA review of proposed discretionary land use permits and land divisions.

CHAPTER 3: THE OPEN SPACE ELEMENT

A. OPEN SPACE RESOURCES

Our county has an abundance of open space features, including majestic natural landmarks, outstanding scenic vistas, important wildlife habitats, lands with recreational opportunities and other valuable open space resources. These resources, along with the agricultural attributes described in Chapter 2: The Agriculture Element, are essential to the future of this county.

Diverse open space resources provide a major attraction to visitors from around the world and make this county a special place to live. They are a defining characteristic of San Luis Obispo County. These resources include the unique 1,000,000 year old landmark volcanic peaks known as The Morros, stretching from Morro Rock to Islay Hill in San Luis Obispo; significant coastal wetlands, and rare coastal dune ecosystems; the oak woodlands of the Adelaida area; the stark beauty and endangered wildlife of the Carrizo Plains. These places are unique and worthy of protection for their intrinsic value. In addition, recreation and tourism that is based on the local open space resources contribute substantially to the local economy. The latest information from the California Trade and Commerce Agency indicates that travel expenditures in San Luis Obispo County amounted to approximately \$790,590,000 in 1996.

San Luis Obispo County supports the protection, restoration and preservation of significant open space features which are irreplaceable resources for enjoyment by current and future generations. This is necessary in order to enjoy scenic beauty and recreation, discourage premature and unnecessary conversion of open space to urban uses, maintain public health and safety, and to maintain the economy.

This chapter provides direction for the protection of the critical and diverse open space resources in the unincorporated areas of the county. State planning law defines open space to include a wide range of resources, including open space for the protection of natural resources, the managed production of resources (which includes the agricultural lands discussed in Chapter 2: The Agriculture Element), outdoor recreation, and the protection of public health and safety.

In this chapter, open space lands are defined as resources or features of the landscape with unique or sensitive habitat for plants and animals; recreational opportunities; distinctive scenic values; hazards that threaten public health and safety; or archaeological or historical sites. Because open space resources do not observe man-made boundaries, they occur on both public and private lands. Therefore, the goals and policies in this Open Space Element refer to the treatment of open space resources on public lands and on private non-agricultural lands. The reader should refer to chapter 2 for the treatment of open space resources located on agricultural lands.

The open space resources addressed in this chapter often come under the purview of federal and state regulations, such as the federal Clean Water Act, and the federal and state Endangered Species Acts. The goals, policies and implementation measures found in this chapter are intended to be compatible with, but not overlap or duplicate, these federal and state requirements.

It must also be clearly understood that the identification of areas having open space resources does not imply or condone public access onto those lands unless that access is voluntarily given by the land owner. Many of the open space resources are located on privately owned lands. Protection of the resources on those lands is encouraged to occur through voluntary actions by the land owner, and the policies and implementation measures in this plan also offer incentives to the owners to accomplish that voluntary protection.

WHAT ARE OPEN SPACE LANDS?

As previously noted, state law defines open space as any area of land or water which is essentially unimproved and devoted to an open space use, as defined in a local open space element. While agriculture is considered a type of open space in state law, this element separates agricultural land resources from other open space resources. Agricultural lands may have open space attributes, but are intensely managed and their open space values are often the result of the land being in agricultural production. Those agricultural lands containing open space resources are discussed in chapter 2.

Open space lands can have some level of development occur on them while still serving as open space. It should not be expected that all lands determined to have open space values shall forever more remain undeveloped and untouched. To the contrary, the open space resources may be managed in a variety of ways ranging from a hands-off approach to a program of defined intervention to best preserve and protect the identified resource.

In San Luis Obispo County, open space limits urban sprawl, provides separation between communities and helps to define the identity of each community. It protects scenic vistas and areas that are hazardous for development. It provides opportunities for recreation, be it as large wilderness areas in remote parts of the county, or as small green spaces in the heart of a community.

The following is a description of the types of open space resources in this county. These general categories are those that are identified in State planning law when describing the types of open space to be considered in the preparation of an open space element.

* **Open space for the protection of natural resources.**

These can include areas for the preservation of plants and animals, streams, wetlands, and watershed lands, such as: oak woodland habitats in the Adelaida area of the north county, riparian corridors along coastal streams, and wetlands such as found in Black Lake Canyon on the Nipomo Mesa.

* **Open space used for the managed production of resources.**

These can include: forest lands, rangelands and other agricultural lands (discussed separately in the Agriculture Element), commercial fisheries along our coastline, areas containing significant mineral deposits such as found along the Salinas River, and areas that may contain a variety of uses but which are important for groundwater recharge.

* **Open space for outdoor recreation.**

Recreational opportunities can range from minimal passive activities such as hiking, to more active local and state parks, recreation facilities such as golf courses, and areas of outstanding scenic, historic and cultural values such as found in the Carrizo Plains Reserve administered by the Bureau of Land Management.

* **Open space for protection of public health and safety.**

There are a variety of lands in the county that pose potential threats to public health and safety if improperly developed. These can include known earthquake fault zones, floodplains, areas of unstable soils and geologic instability, lands adjacent to water reservoirs or downstream of dams, and areas of high or extreme fire hazard. In most instances, all development cannot be prohibited outright on such lands, but these areas of risk can be identified and appropriate development standards established so as to minimize the risks to the maximum extent feasible.

The following section of this chapter provides an overview of the environmental features of the county.

B. ENVIRONMENTAL FEATURES

An understanding of the physical environment and the natural processes affecting it is an essential starting point in the development of this document. The land, in combination with other natural phenomena, dictates to a large extent the type of use and the intensity of development that is possible without doing irreparable damage to the natural environment. If attention is not paid to these issues, the land owner runs the risk of possible physical and economic loss to property and

investment. This long-term loss may also affect the community at large as well as future generations.

This section of the document identifies and describes critical natural phenomena that affect land use. The processes that are discussed are generalized but do serve to point up the interrelationships between the natural environment and man's use of it. Also see chapter 2 for an overview of soils and hydrology.

PHYSICAL CHARACTERISTICS

Geomorphic Regions

San Luis Obispo County sits in a central position in the southern coast range complex. There are five mountain ranges generally oriented on a northwest-southeast axis: the Santa Lucia, Temblor, Caliente, La Panza and San Luis Ranges. None of the ranges are particularly high, although several of the peaks exceed 3000 feet elevation. Extensive sections of the ranges are quite rugged and have influenced the historical development of the county. This topography has been an effective barrier to transportation corridors and intensive development.

The San Luis Range divides the coastal plains and valleys at Point Buchon into a northern and southern section. The northern coastal plain consists primarily of a relatively narrow bench that backs up to the Santa Lucia Range. It is cut by numerous short stream valleys that empty into the Pacific Ocean. The north coastal sector makes its deepest inland penetration in the vicinity of the Chorro and Los Osos Valleys.

The southern section primarily consists of the Arroyo Grande Valley, an upland area of ancient dunes referred to as the Nipomo Mesa, and a portion of the Santa Maria River Valley. The two valleys are relatively small but do contain some of the best agricultural land in the county. The south coastal area is also characterized by an extensive dune area of recent origin along the coast.

The Salinas River dominates a huge drainage basin in the northern section of the county that is bordered on the west by the Santa Lucia Range and on the east by the Temblor Range. The basin is characterized by vast low undulating hill land and valleys that generally drain to the north to Monterey County through an extensive network of tributaries. Urban development is concentrated along the edge of the Salinas River floodplain. Westerly tributaries to the Salinas River gradually transform from low hill land into the precipitous Santa Lucia Mountains. The Nacimiento River is the largest of the Salinas River tributaries within the county.

The Carrizo Plain is an entirely enclosed interior drainage basin. All drainage terminates in Soda Lake, a highly mineralized water body with a fluctuating water level. Toward the outer periphery

of the basin the soil is less contaminated with mineral salts and, therefore, better for agriculture. The plains are the most arid region of the county, but extensive agricultural pursuits are present.

The Cuyama Valley drainage basin lies along the southeastern and southcentral portion of the county and about 45 percent of the entire basin is in the county. The basin is drained by the Cayuma River and its tributaries. Since this river cuts across the La Panza and Santa Lucia complexes, a good portion of the valley is a narrow ribbon meandering through rugged terrain. However, where the valley widens in the southeast, there are extensive agricultural activities.

Geology

San Luis Obispo County is located within the Coast Range physiographic province. The county is generally divided into three geologic provinces that are separated by two major northwest-trending faults. The northeast province is bounded on the southwest by the San Andreas fault zone, and is underlain at depth by a complex basement of folded and faulted Franciscan rocks of Jurassic age. Sedimentary rocks of Cretaceous to Late Tertiary age are commonly exposed at the surface in this province and are extensively folded and faulted. Pleistocene and recent age sediments are offset along the San Andreas Fault.

The central province is bounded on the northeast by the San Andreas fault zone and on the southwest by three segments of the Rinconada Fault System. This province is underlain by Cretaceous and Jurassic-age granitic basement rock. The basement has structurally been relatively stable throughout geologic history. The younger sedimentary cover has not been deformed.

The southwest province, like the northeast fault block, is underlain by a Jurassic-age Franciscan basement. Cretaceous to Late Tertiary sedimentary rocks are exposed at the surface. The rock units in this province have been folded and faulted, but the complexity of structural deformation decreases with depth.

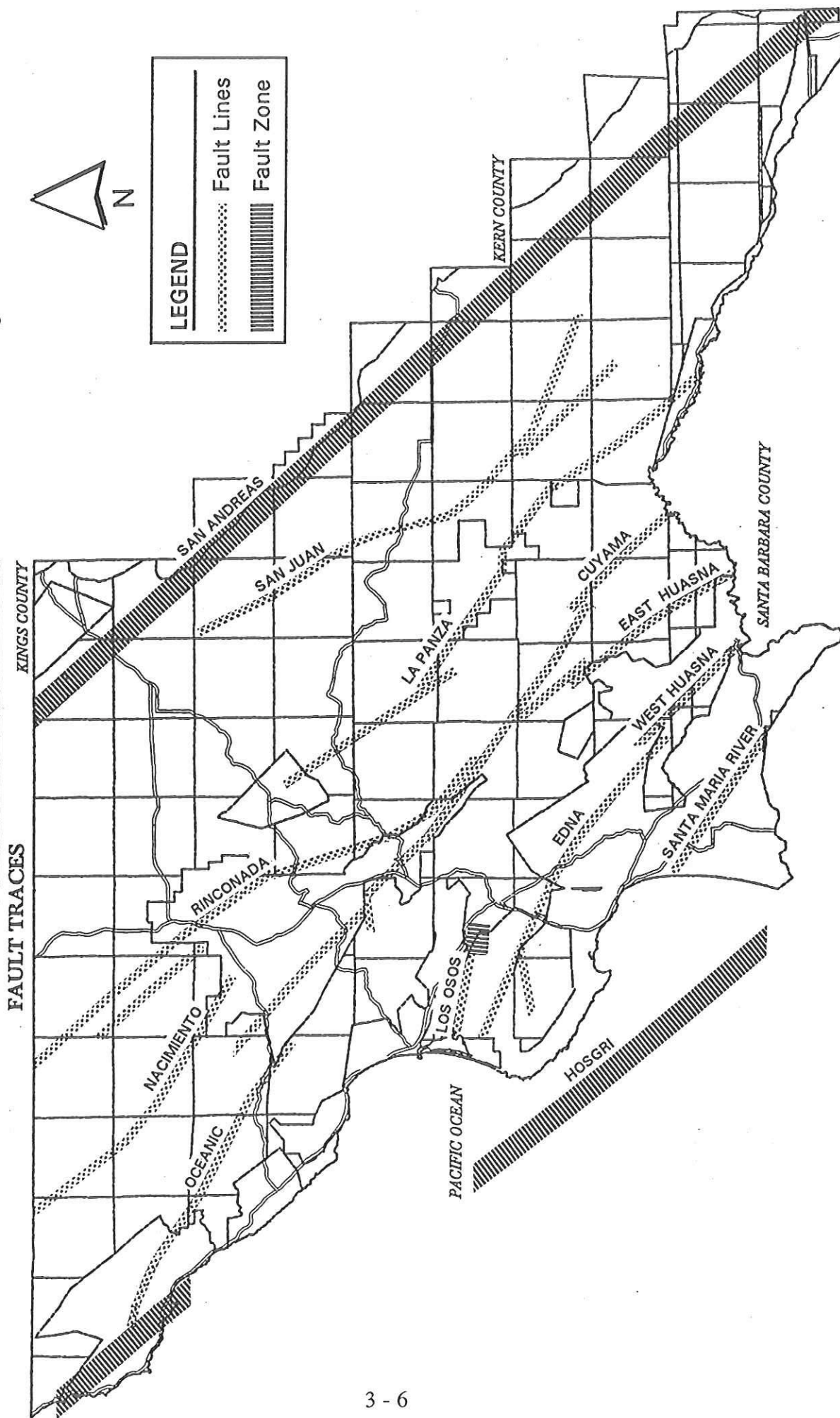
Seismicity

There are a number of faults throughout the county (see Fig. 3-1). The San Andreas Fault, located along the easterly edge of the county, is classified as active and is capable of producing a maximum credible earthquake of 8.0 to 8.5 magnitude, with ground displacement as great as 20 to 30 feet. This fault is expected to be the primary source of strong ground shaking in the county. Of the faults in the county, this fault exhibits the highest levels of seismic activity.

The Nacimiento Fault is also considered to be seismically active. This is based on the high concentration of earthquake epicenters along this fault, rather than geologic evidence of recent movement. The Nacimiento Fault would also be a source of strong ground shaking in the county. The maximum probable earthquake is approximately 7.0 to 7.5 with a recurrence interval of 5,000 to 12,000 years.

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
AGRICULTURE AND OPEN SPACE ELEMENT

Figure 3-1



The Rinconada Fault is seismically active, also. This fault has been associated with several historic seismic events that measured less than 5.0 on the Richter Scale and is a probable source for small to moderate earthquakes. This fault is considered to pose less of a threat than the San Simeon Hosgri, San Andreas, or Nacimiento Faults.

The offshore Hosgri Fault is also considered seismically active. Along the north shore of the county, this fault appears to be associated with the onshore San Simeon Fault. This combined system of the San Simeon-Hosgri Fault is believed to have the potential for seismic events as high as 7.5 on the Richter Scale and could pose a serious threat to the coastal areas of the county.

The Los Osos Fault runs along the base of the Irish Hills in the Los Osos Valley. This fault has the potential for seismic events as high as 6.75 on the Richter Scale and poses a significant threat to the area in the vicinity of San Luis Obispo and Los Osos.

There are a number of lesser faults throughout the county that are probably inactive and are considered to pose little or no likely threat to the county. These include the San Juan, La Panza, East Huasna and West Huasna faults.

Of all the fault systems, three have been designated Special Study Zones by the California Division of Mines and Geology. These are the San Andreas Fault, the onshore San Simeon Fault, and the Los Osos Fault. Structure for human occupancy are not to be constructed over these designated active faults without county review and approval as specified in the Land Use Ordinance.

Landslides and Other Geologic Hazards

Landslides generally occur as a result of broad geologic, topographic, or climatic factors. The natural processes that trigger landslides most frequently involve an increase in stress that finally exceeds the shear strength of the earth materials. These processes include crustal movements, erosion, weathering, and finally the activities of man on the landscape. Landslides can be traced to the nature of the parent rock and the natural processes affecting it. Inherently weak rock, and rock subject to weakness with an increase in water content, are most prone to landslide. This includes fine grained sedimentary rocks, weathered bedrock, and rocks such as serpentine and schist.

Other geologic hazards include subsidence, liquefaction, tsunamis, and seiches. Ground subsidence has been identified in areas of recent stream alluvium and bay muds. These types of areas also have other associated hazards such as storm surge and flooding.

The potential for seiches (seismically induced waves in a closed body of water such as one of the reservoirs) is low in San Luis Obispo County. Along the coast, a potential tsunami (tidal wave) would not be expected to exceed the tidal range. However, a hazard could occur if a tsunami occurred at the same time as a high tide.